

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

M. McKEE, individually and behalf of all others similarly situated,

Plaintiff,

- against -

NEW YORK STATE DIVISION OF LOTTERY, and DOES 1-100, inclusive,

Defendants.

Index No. 08-cv-4251 (DLC)

ECF

**NOTICE OF DISMISSAL**

**PLEASE TAKE NOTICE** that, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiff M. McKee, individually and on behalf of all others similarly situated, hereby voluntarily dismisses her action in this matter without prejudice, without costs and without fees.

Dated: New York, New York  
July 23, 2008

Respectfully submitted,

*s/ Craig Stuart Lanza*  
\_\_\_\_\_  
Craig Stuart Lanza (CL-2452)  
John Balestrieri (JB- 3247)  
**BALESTRIERE LANZA PLLC**  
225 Broadway, Suite 2900  
New York, NY 10007  
Telephone: (212) 374-5400  
Facsimile: (212) 208-2613  
*Attorneys for Plaintiff and the Class*